

COUNTY OF LOS ANGELES WORKFORCE DEVELOPMENT, AGING AND COMMUNITY SERVICES REQUEST FOR PROPOSALS ("RFP") LOS ANGELES COUNTY DISPUTE RESOLUTION PROGRAM ("LACDRP")

DRP-1924 RFP FEBRUARY 5, 2019

Proposers' Conference: Monday, February 11, 2019 (1PM – 3PM PST)

Final Proposal Due Date and Time: Tuesday, March 5, 2019 (12PM PST)

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APPENDICES:

- A Statement of Work: Explains in detail the required services to be performed by the Subrecipient.
- **B** Statement of Work Exhibits: Attachments which accompany the Statement of Work.
- **C** Sample Subaward: Identifies the terms and conditions in the Subaward.
- **D** Required Forms: Forms that must be completed and included in the proposal.
- E Transmittal Form to Request a Solicitation Requirements Review: Transmittal sent to Department requesting a Solicitation Requirements Review.
- F County of Los Angeles Policy on Doing Business with Small Business: County Policy
- **G** Jury Service Ordinance: County Code
- H Listing of Subrecipients Debarred in Los Angeles County: Subrecipients who are not allowed to Subaward with the County for a specific length of time.
- IRS Notice 1015: Provides information on Federal Earned Income Credit.
- J Safely Surrendered Baby Law: County Program
- **K** Intentionally Omitted
- K-1 Intentionally Omitted
- L Intentionally Omitted
- M Intentionally Omitted
- N Background and Resources: California Charities Regulation: An information sheet intended to assist nonprofit agencies with compliance with SB 1262 the Nonprofit Integrity Act of 2004 and identify available resources. (If applicable)
- O Defaulted Property Tax Reduction Program: County Code
- P Notice of Intent to Submit Proposal

1 INTRODUCTION

1.1 Request for Proposals for Dispute Resolution Program (DRP) Services

1.1.1 The County of Los Angeles ("County") through its Workforce Development, Aging, and Community Services ("WDACS") is issuing this Request for Proposals ("RFP") to solicit proposals from local public/government entities and non-profit organizations to provide Dispute Resolution Services ("Services") under the Los Angeles County Dispute Resolution Program ("LACDRP" or "Program") with State funds collected from court filing fees pursuant to the California Dispute Resolution Programs Act of 1986 ("the Act" or "DRPA") and in accordance with all applicable federal, state, and local laws, regulations and guidance. LACDRP provides services designed to be less costly, less time consuming, less complex, and less intimidating than the court system and more accessible to the diverse residents, businesses, and organizations that populate Los Angeles County.

1.1.2 Mission:

- 1.1.2.1 The mission of the Program is twofold. First, the Program is to assist people who live, work, or operate in Los Angeles County to resolve disputes using means alternative to formal judicial proceedings with the help of one (1) or more trained Neutral persons. The Program is essential in providing dispute resolution services that are less costly, less time consuming, and less complex than the traditional judge or jury system. It is also crucial in affording the diverse residents of Los Angeles County a process that is less formal, less intimidating, and more accessible than the traditional court system. A key difference from the traditional court system is that the Disputants, rather than a judge or jury, are the primary decision makers in the outcome of their disputes.
- 1.1.2.2 A secondary mission of the Program is to promote the ongoing betterment of human relations throughout Los Angeles County by cultivating and increasing the number of individuals who are skilled in resolving the interpersonal and intergroup disputes that are common in our relationships, workplaces, and communities. Individuals possessing such skills may quickly respond to a dispute at the onset and thus, greatly avert its escalation to a formal judicial action and/or an intervention by law enforcement. The intent is that the collective efforts of these Neutrals will

transform relationships that reflect the rich diversity of cultures, institutions, and communities that characterize Los Angeles County. This shall enable Disputants to address their differences in ways that refrain from hostility or violence, thereby benefiting all those directly involved in the resolved disputes and other relationships these individuals touch.

1.1.3 Dispute Resolution Service Categories:

- 1.1.3.1 The LACDRP program provides the following three(3) Service Category Options:
 - 1.1.3.1.1 Community Community disputes are those for which no court action has been initiated or for which resolution services are not required on the day of hearing. These may include, but are not limited to, disputes between consumers and merchants, tenants and landlords, businesses, coworkers, neighbors, students, and family members. This may also include disputes between representatives of law enforcement and members of the community.
 - 1.1.3.1.2 <u>Day of Hearing Civil Court</u> Day of Hearing Civil Court disputes are those for which civil court action has been initiated and resolution services are provided on the scheduled day of court hearing. These case types include disputes filed as small claims, civil harassment, unlawful detainer, or non-collections limited jurisdiction cases.
 - 1.1.3.1.3 Restorative Justice Restorative Justice disputes involve matters between Victim(s) and Offender(s) of criminal actions. These are cases that may or may not have been filed for prosecution, but in which the Offender(s) has acknowledged committing the harm-causing action(s). Explicit agreement of the appropriate law enforcement jurisdiction or prosecuting authority is required in order to proceed with resolution services for any Restorative Justice dispute.

- 1.1.4 Client Eligibility: Any individual, business, or organization involved in a dispute where at least one (1) Disputant in the dispute resides, conducts business in, or operates in Los Angeles County is eligible for Services. Subrecipient(s) shall provide Services to any such individual, business, or organization unless circumstances dictate one of the exceptions detailed elsewhere in this RFP or any resulting Subaward.
- **1.1.5 Authority:** Proposer's Proposal and any resulting Subaward shall be required to meet all of the applicable provisions and criteria set forth in the DRP Act of 1986 the statutory program and funding authority for the Program and its regulations ("the Regulations").

2 PURPOSE: SUBAWARDS FOR DISPUTE RESOLUTION PROGRAM SERVICES

2.1 Statement of Work

2.1.1 Subrecipient(s) shall implement the requirements outlined in Appendix A (Statement of Work) and Appendix B (Statement of Work Exhibits) of this RFP if selected to receive a Subaward.

2.1.2 Funding Availability

- 2.1.2.1 County estimates that the maximum funding for the entire LACDRP program during Fiscal Years (FY) 2019-24 will be \$9,500,000 with an initial Subaward term of one (1) year with four (4) optional annual renewals.
- 2.1.2.2 Proposer shall provide Services under one (1) or more of the three (3) LACDRP Service Categories listed in Subparagraph 1.1.3, Dispute Resolution Service Categories, of this RFP.
- 2.1.2.3 Proposer shall be aware that funding for this Program is contingent upon the availability of federal, state, and local funds, and Subawards may be recommended for additional or reduced funding than the amounts proposed. Should the Proposer be recommended for funding, the proposal shall result in a Subaward, whereby County may have the option to negotiate the proposed amounts to ensure that all necessary program requirements are met. Upon modification by County determination of the precise award amounts, Proposer may decline a Subaward with County if the

Proposer believes that the objectives of its proposed program cannot be achieved at the adjusted (increased or reduced) amount.

2.1.3 Program Goals and Funding Requested by Proposer

- 2.1.3.1 Proposers may propose to provide **one** (1), **two** (2), **or all three** (3) **Service Categories** through separate proposals. Successful Proposer(s) will be required to deliver each of the service requirements described in Appendix C (Sample Subaward), as well as in Appendix A (Statement of Work), for each of the Service Categories they submit proposals for should they be selected. Services that do not meet the standards listed will not be funded. If Proposer is awarded a Subaward, County will utilize the proposed cost provided in the Proposal to establish the Subaward fixed rate upon which all payment will be based.
 - 2.1.3.1.1 Payments to Successful Proposer(s) after commencement of Subaward shall be based on a cost reimbursement method, not-to-exceed Subaward sum to be determined upon Subaward or selection. County shall compensate Successful Proposer(s) after Subaward commencement for the Services set forth in Appendix A, Statement of Work.

2.1.4 Funding Allocation Plan

- 2.1.4.1 The available funding will be allocated to eight (8) Service Planning Areas (SPA) for Community Services; 13 Hubs for Day of Hearing Civil Court Services; and five (5) Supervisorial Districts (SD) for Restorative Justice Services. Proposer may apply for as many SPAs, Hubs, and/or SDs it plans to serve and can be awarded more than one area.
 - 2.1.4.1.1 Community Category: A Funding Rank formula will be used to determine awards for each eligible Proposer in each SPA:

Funding Rank = Coverage * Quality

- Coverage = number of mediations proposed for each SPA
- Quality = Proposers RFP Score

A portion of available funds in each SPA will be awarded equal to each qualified Proposer's percentage of Funding Rank points. This percentage is determined by each Proposer's Funding Rank Points divided by the Total Funding Rank points for all eligible Proposers. Therefore, each SPA may be awarded to more than one Proposer and there are no limits to the number of awards for each SPA.

Example:

SPA 1 (Funding Allocation = \$39,000)					
	(A)	(B)	(C)	(D)	(E)
Proposer	Quality	Coverage	Funding Rank (A*B)	Funding Rank % (C/F)	Award (D*\$39,000)
Α	8000	25	200,000	29.74	\$11,589.60
В	7000	30	210,000	31.23	\$12,179.70
С	7500	35	262,500	39.03	\$15,221.70
Total Funding Points (F)			672,500		

- 2.1.4.1.2 Day of Hearing Category: Awards will be determined by highest RFP Score; therefore, one award will be made per Hub. Proposer may be assigned/awarded a specific case type(s) during negotiations. Case types are as follows: small claims, civil harassment, unlawful detainer, and noncollections limited jurisdiction cases.
- 2.1.4.1.3 Restorative Justice Category: Awards will be determined by highest RFP Score; therefore, one award will be made per Supervisorial District.
- 2.1.4.2 Funding across each SPA, HUB and SD are allocated proportionally to the population in each area. Funding

for each Service Category are estimated to be distributed as follows:

- 54% of funding for Community;
- 25% of funding for Day of Hearing Civil Court; and
- 21% of funding for Restorative Justice.

2.1.4.3 The funding chart under Subparagraph 2.1.5, LACDRP Estimated Annual Funding, allocates the total proposed LACDRP funding available in each service category. These amounts are further broken down by SPA, Hub, and SD in the charts under Subparagraphs 2.1.5.1, 2.1.5.2, and 2.1.5.3. The funding amounts are estimates only. County reserves the right, at its sole discretion, to adjust the funding among the eight (8) SPAs, 13 Hubs, and five (5) SDs based on County's needs and availability of funding.

2.1.5 LACDRP Estimated Annual Funding

Service Category	Funding Allocation	
Community Service	\$	1,020,000
Day of Hearing Civil Court	\$	480,000
Restorative Justice	\$	400,000
Grand Total (Per Fiscal Year)	\$	1,900,000

2.1.5.1 Community Service Category by SPA (Maximum Unit Rate \$740 Per Resolved Case)

Service Planning Area	Funding Allocation		
SPA 1	\$ 39,000		
SPA 2	\$ 223,000		
SPA 3	\$ 178,000		

SPA 4	\$ 118,000
SPA 5	\$ 66,000
SPA 6	\$ 107,000
SPA 7	\$ 131,000
SPA 8	\$ 158,000
TOTAL	\$ 1,020,000

2.1.5.2 Day of Hearing Civil Court Service Category by Hub

(Maximum Unit Rate \$275 Per Resolved Case)

Hub	Funding Allocation	
Hub 1		
Hub 2	\$ 62,000	
Hub 3	\$ 62,000	
Hub 4	\$ 62,000	
Hub 5	\$ 80,000	
Hub 6	\$ 17,000	
Hub 7	\$ 25,000	
Hub 8	\$ 17,000	
Hub 9	\$ 25,000	
Hub 10	\$ 17,000	
Hub 11	\$ 17,000	
Hub 12	\$ 25,000	
Hub 13	\$ 17,000	

Hub 14	\$ 54,000
TOTAL	\$ 480,000

^{*}Hub 1 is not available for proposal.

2.1.5.3 Restorative Justice Service Category by SD (Maximum Unit Rate \$740 Per Resolved Case)

Supervisorial District	Funding Allocation	
SD 1	\$ 80,000	
SD 2	\$ 80,000	
SD 3	\$ 80,000	
SD 4	\$ 80,000	
SD 5	\$ 80,000	
TOTAL	\$ 400,000	

2.2 Sample Subaward: County Terms and Conditions

2.2.1 Subrecipient(s) shall be expected to implement the requirements outlined in Appendix C (Sample Subaward) of this RFP.

2.2.2 Anticipated Subaward Term

2.2.2.1 Subaward term shall be for an initial one (1) year period with four (4) optional annual renewals. Any offers for renewal(s) shall be at County's sole discretion. Subaward shall commence on July 1, 2019, following the Board of Supervisors' approval, and shall end on June 30, 2020 unless extended or terminated by County prior to then.

2.2.3 Subaward Rates

2.2.3.1 Subrecipient's rates shall remain firm and fixed for the term of the subaward.

2.2.4 Days of Operation

2.2.4.1 Subrecipient shall be required to provide LACDRP Services a minimum of five (5) days per week. Subrecipient is not required to provide services on County-recognized holidays. County's Contract Manager will provide a list of County holidays to Subrecipient(s) at the time the Subaward is approved, and annually, at the beginning of the calendar year.

2.2.5 Indemnification and Insurance

2.2.5.1 Subrecipient(s) shall be required to comply with the provisions contained in Paragraph 8.23 (Indemnification) of Appendix C (Sample Subaward). Subrecipient(s) shall procure, maintain, and provide to the County proof of insurance coverage for all the programs of insurance along with associated amounts specified in Paragraph 8.24 (General Provisions for all Insurance Coverage) and Paragraph 8.25 (Insurance Coverage) of Appendix C (Sample Subaward).

2.2.6 Intentionally Omitted

3 PROPOSER'S MINIMUM QUALIFICATIONS

- 3.1 Interested and qualified proposers that can demonstrate their ability and qualifications to successfully provide the required Services outlined in Appendix A (Statement of Work) are invited to submit a proposal(s), and must meet the following minimum mandatory requirements:
 - 3.1.1 Proposer must have a minimum of 24 months of experience within the immediate past four (4) years, providing Alternative Dispute Resolution services to Clients within Los Angeles County or have provided services equivalent to or substantially similar to the Services in Appendix A (Statement of Work);
 - 3.1.2 Proposer must be able to provide LACDRP Services beginning July 1, 2019;
 - 3.1.3 Proposer must provide LACDRP Services to residents of Los Angeles County including the unincorporated areas of Los Angeles County;
 - 3.1.4 Proposer shall have, or will have by the time of Subaward execution, an office location in Los Angeles County;

- 3.1.5 Proposer shall have, or will have by the time of Subaward execution, all the staffing requirements specified in Appendix A (Statement of Work);
- 3.1.6 Proposer shall demonstrate the ability to match a minimum 25% of its grant amount for the term of the Subaward;
- 3.1.7 Proposer must currently have a cash reserve equal to the amount it would cost to operate Program Services for one (1) month. Grant costs may not be included in cash reserves.
- 3.2 If Proposer's compliance with a County Subaward has been reviewed by the Department of the Auditor-Controller within the last 10 years, Proposer must not have unresolved questioned costs identified by the Auditor-Controller, in an amount over \$100,000.00, that are confirmed to be disallowed costs by the contracting County department, and remain unpaid for six (6) months or more from the date of disallowance, unless such disallowed costs are the subject of current good faith negotiations to resolve the disallowed costs, in the opinion of the County.

4 COUNTY'S RIGHTS AND RESPONSIBILITIES

4.1 Representations Made Prior to Subaward Execution

4.1.1 County is not responsible for representations made by any of its officers or employees prior to the execution of the Subaward unless such understanding or representation is included in the subaward.

4.2 Final Subaward by the Board of Supervisors

4.2.1 Notwithstanding a recommendation of a Department, agency, individual, or other, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal best serves the interests of the County. The Board is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a Subaward.

4.3 County's Option to Reject Proposals

4.3.1 Proposers are hereby advised that this RFP is a solicitation for proposals only, and is not intended, and is not to be construed as, an offer to enter into a Subaward or as a promise to engage in any formal competitive bidding or negotiations pursuant to any statute, ordinance, rule, or regulation. The County may, at its sole discretion, reject any or all proposals submitted in response to this RFP or may,

in its sole discretion, reject all proposals and cancel this RFP in its entirety. The County shall not be liable for any costs incurred by the proposer in connection with the preparation and submission of any proposal. The County reserves the right to waive inconsequential disparities in a submitted proposal.

4.4 County's Right to Amend Request for Proposals

4.4.1 County has the right to amend the RFP by written addendum. County is responsible only for that which is expressly stated in the solicitation document and any authorized written addenda thereto. Such addendum shall be made available to each person or organization which County records indicate has received this RFP. Should such addendum require additional information not previously requested, failure to address the requirements of such addendum may result in the proposal being found non-responsive and not being considered, as determined in the sole discretion of County. County is not responsible for and shall not be bound by any representations otherwise made by any individual acting or purporting to act on its behalf.

4.5 Background and Security Investigations

4.5.1 Background and security investigations of Subrecipient(s)'s staff may be required at the discretion of County as a condition of beginning and continuing work under any resulting subaward. The cost of background checks is the responsibility of Subrecipient(s).

4.6 County's Quality Assurance Plan

4.6.1 After commencement of Subaward, County or its agent will monitor the Subrecipient(s)'s performance under the Subaward on a periodic basis. Such monitoring will include assessing Subrecipient(s)'s compliance with all terms and conditions in the Subaward and performance standards identified in Appendix A (Statement of Work). Subrecipient(s)'s deficiencies which County determines are significant or continuing and that may jeopardize performance of the Subaward will be reported to the County's Board of Supervisors. The report will include improvement/corrective action measures taken by County and subrecipient. If improvement does not occur consistent with the corrective action measures, County may terminate the subaward in whole or in part, or impose other penalties as specified in the subaward.

5 PROPOSER'S REQUIREMENTS AND CERTIFICATIONS

5.1 Notice to Proposers Concerning the Public Records Act

5.1.1 Responses to this solicitation shall become the exclusive property of County. Absent extraordinary circumstances, the recommended proposer's proposal will become a matter of public record when: 1) Subaward negotiations are complete; 2) WDACS receives a letter from the recommended proposer's authorized officer that the negotiated Subaward is the firm offer of the recommended proposer; and 3) WDACS releases a copy of the recommended proposer's proposal in response to a Notice of Intent to Request a Proposed Contractor Selection Review under Board Policy No. 5.055 (Services Contract Solicitation Protest).

Notwithstanding the above, absent extraordinary circumstances, all proposals will become a matter of public record when the County's proposer recommendation appears on the Board agenda.

Exceptions to disclosure are those parts or portions of all proposals that are justifiably defined as business or trade secrets, and plainly marked by the proposer as "Trade Secret", "Confidential", or "Proprietary".

- 5.1.2 County shall not, in any way, be liable or responsible for the disclosure of any such record or any parts thereof, if disclosure is required or permitted under the California Public Records Act or otherwise by law. A blanket statement of confidentiality or the marking of each page of the proposal as confidential shall not be deemed sufficient notice of exception. Proposers must specifically label only those provisions of their respective proposal which are "Trade Secrets", "Confidential", or "Proprietary", in nature.
- 5.1.3 In the event County is required to defend an action on a Public Records Act request for any of the aforementioned documents, information, books, records, and/or contents of a proposal marked "Confidential", "Trade Secrets", or "Proprietary", proposer agrees to defend and indemnify County from all costs and expenses, including reasonable attorneys' fees, incurred in connection with any action, proceedings, or liability arising in connection with the Public Records Act request.

5.2 Contact with County Personnel

5.2.1 All contact regarding this RFP or any matter relating thereto must be in writing and may be mailed, e-mailed or faxed as follows:

E-mail:

DRPRFP@wdacs.lacounty.gov

Postal and Delivery Address:

County of Los Angeles Workforce Development, Aging and Community Services Contracts Management Division 3175 West 6th Street, Room 403 Los Angeles, CA 90020-1708

Attn: RFP No.: DRP-1924

Carol Domingo, Contract Manager

5.2.2 If it is discovered that Proposer contacted and received information from any County personnel, other than the person specified above, regarding this solicitation, County, in its sole determination, may disqualify their proposal from further consideration.

5.3 Mandatory Requirement to Register on County's WebVen

5.3.1 Prior to a Subaward execution, all potential Subrecipients must register in the County's WebVen. WebVen contains the vendor's business profile and identifies the goods/services the business provides. Registration can be accomplished online via the Internet by accessing the County's home page at:

http://camisvr.co.la.ca.us/webven/

5.4 Protest Policy Review Process

- 5.4.1 Under Board Policy No. 5.055 (Services Subaward Solicitation Protest), any prospective proposer may request a review of the requirements under a solicitation for a Board-approved services Subaward, as described in Subparagraph 5.4.3 (Grounds for Review) below. Additionally, any actual proposer may request a review of a disqualification or of a proposed Subaward under such a solicitation, as described respectively in the paragraphs below. It is the responsibility of the proposer challenging the decision of a County Department to demonstrate that the Department committed a sufficiently material error in the solicitation process to justify invalidation of a proposed Subaward.
- 5.4.2 Throughout the review process, County has no obligation to delay or otherwise postpone the execution of the Subaward based on a proposer protest. In all cases, County reserves the right to make an

award when it is determined to be in the best interest of the County of Los Angeles to do so.

5.4.3 Grounds for Review

Unless state or federal statutes or regulations otherwise provide, the grounds for review of a solicitation for a Board-approved services contract provided for under Board Policy No. 5.055 (Services Contract Solicitation Protest) are limited to the following:

- 5.4.3.1 Review of Solicitation Requirements (reference Paragraph 7.4)
- 5.4.3.2 Review of Disqualified Proposal (reference Paragraph 8.3)
- 5.4.3.3 Review of Proposed Subrecipient(s) Selection (reference Paragraph 8.7)

5.5 Injury and Illness Prevention Program

5.5.1 Subrecipient(s) shall be required to comply with the State of California's California Occupational Safety and Health Administration's regulations. California Code of Regulations Title 8 Section 3203 requires all California employers to have a written, effective Injury and Illness Prevention Program (IIPP) that addresses hazards pertaining to the particular workplace covered by the program.

5.6 Confidentiality and Independent Subrecipient(s) Status

5.6.1 As appropriate, Subrecipient(s) shall be required to comply with Paragraph 7.6 (Confidentiality) and Paragraph 8.22 (Independent Contractor(s) Status), contained in Appendix C (Sample Subaward).

5.7 Conflict of Interest

5.7.1 No County employee whose position in the County enables him/her to influence the selection of a Subrecipient(s) for this RFP, or any competing RFP, nor any spouse of economic dependent of such employees, shall be employed in any capacity by a proposer or have any other direct or indirect financial interest in the selection of a Subrecipient(s). Proposer shall certify that he/she is aware of and has read Section 2.180.010 of the Los Angeles County Code as stated in Exhibit 5 (Certification of No Conflict of Interest) of Appendix D (Required Forms).

5.8 Determination of Proposer Responsibility

- 5.8.1 A responsible proposer is a proposer who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity and experience to satisfactorily perform the Subaward. It is the County's policy to conduct business only with responsible proposers.
- 5.8.2 Proposers are hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may determine whether the proposer is responsible based on a review of the proposer's performance on any Subawards, including but not limited to County Subawards. Particular attention will be given to violations of labor laws related to employee compensation and benefits, and evidence of false claims made by the proposer against public entities. Labor law violations which are the fault of the Lower Tier Subrecipeints and of which the proposer had no knowledge shall not be the basis of a determination that the proposer is not responsible.
- 5.8.3 The County may declare a proposer to be non-responsible for purposes of this Subaward if the Board of Supervisors, in its discretion, finds that the proposer has done any of the following: 1) violated a term of a Subaward with the County or a nonprofit corporation created by the County; 2) committed an act or omission which negatively reflects on the proposer's quality, fitness or capacity to perform a Subaward with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; 3) committed an act or omission which indicates a lack of business integrity or business honesty; or 4) made or submitted a false claim against the County or any other public entity.
- 5.8.4 If there is evidence that the apparent highest ranked proposer may not be responsible, the Department shall notify the proposer in writing of the evidence relating to the proposer's responsibility, and its intention to recommend to the Board of Supervisors that the proposer be found not responsible. The Department shall provide the proposer and/or the proposer's representative with an opportunity to present evidence as to why the proposer should be found to be responsible and to rebut evidence which is the basis for the Department's recommendation.
- 5.8.5 If the proposer presents evidence in rebuttal to the Department, the Department shall evaluate the merits of such evidence, and based on that evaluation, make a recommendation to the Board of Supervisors. The final decision concerning the responsibility of the proposer shall reside with the Board of Supervisors.

5.8.6 These terms shall also apply to proposed Lower Tier Subrecipients of proposers on County Subawards.

5.9 Proposer Debarment

- 5.9.1 The proposer is hereby notified that, in accordance with Chapter 2.202 of the County Code, the County may debar the proposer from bidding or proposing on, or being awarded, and/or performing work on other County Subawards for a specified period of time, which generally will not exceed five (5) years but may exceed five (5) years or be permanent if warranted by the circumstances, and the County may terminate any or all of the proposer's existing Subawards with County, if the Board of Supervisors finds, in its discretion, that the proposer has done any of the following: 1) violated a term of a Subaward with the County or a nonprofit corporation created by the County; 2) committed an act or omission which negatively reflects on the proposer's quality, fitness or capacity to perform a Subaward with the County, any other public entity, or a nonprofit corporation created by the County, or engaged in a pattern or practice which negatively reflects on same; 3) committed an act or offense which indicates a lack of business integrity or business honesty; or 4) made or submitted a false claim against the County or any other public entity.
- 5.9.2 If there is evidence that the apparent highest ranked proposer may be subject to debarment, the Department shall notify the proposer in writing of the evidence which is the basis for the proposed debarment, and shall advise the proposer of the scheduled date for a debarment hearing before the Contractor Hearing Board.
- 5.9.3 The Contractor Hearing Board shall conduct a hearing where evidence on the proposed debarment is presented. The proposer and/or proposer's representative shall be given an opportunity to submit evidence at that hearing. After the hearing, the Contractor Hearing Board shall prepare a tentative proposed decision, which shall contain a recommendation regarding whether the proposer should be debarred, and, if so, the appropriate length of time of the debarment. The proposer and the Department shall be provided an opportunity to object to the tentative proposed decision prior to its presentation to the Board of Supervisors.
- 5.9.4 After consideration of any objections, or if no objections are received, a record of the hearing, the proposed decision and any other recommendation of the Contractor Hearing Board shall be presented to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny or adopt the proposed decision and recommendation of the Contractor Hearing Board.

- 5.9.5 If a proposer has been debarred for a period longer than five (5) years, that proposer may, after the debarment has been in effect for at least five (5) years, submit a written request for review of the debarment determination to reduce the period of debarment or terminate the debarment. The County may, in its discretion, reduce the period of debarment or terminate the debarment if it finds that the proposer has adequately demonstrated one or more of the following:

 elimination of the grounds for which the debarment was imposed;
 a bona fide change in ownership or management;
 material evidence discovered after debarment was imposed; or 4) any other reason that is in the best interests of the County.
- 5.9.6 The Contractor Hearing Board will consider requests for review of a debarment determination only where 1) the proposer has been debarred for a period longer than five (5) years; 2) the debarment has been in effect for at least five (5) years; and 3) the request is in writing, states one or more of the grounds for reduction of the debarment period or termination of the debarment, and includes supporting documentation. Upon receiving an appropriate request, the Contractor Hearing Board will provide notice of the hearing on the request. At the hearing, the Contractor Hearing Board shall conduct a hearing where evidence on the proposed reduction of debarment period or termination of debarment is presented. This hearing shall be conducted and the request for review decided by the Contractor Hearing Board pursuant to the same procedures as for a debarment hearing.
- 5.9.7 The Contractor Hearing Board's proposed decision shall contain a recommendation on the request to reduce the period of debarment or terminate the debarment. The Contractor Hearing Board shall present its proposed decision and recommendation to the Board of Supervisors. The Board of Supervisors shall have the right to modify, deny, or adopt the proposed decision and recommendation of the Contractor Hearing Board.
- 5.9.8 These terms shall also apply to proposed Lower Tier Subrecipients of proposers on County Subawards.
- 5.9.9 Appendix H (Listing of Subrecipients Debarred in Los Angeles County) provides a link to the County's website where there is a listing of Subrecipients that are currently on the Debarment List for Los Angeles County.

5.10 Adherence to County's Child Support Compliance Program

5.10.1 Proposers shall: 1) fully comply with all applicable State and Federal reporting requirements relating to employment reporting for its employees; and 2) comply with all lawfully served Wage and Earnings Assignment Orders and Notice of Assignment and continue to maintain compliance during the term of any Subaward that may be granted pursuant to this solicitation. Failure to comply may be cause for termination of Subaward or initiation of debarment proceedings against the non-compliant Subrecipient(s) (County Code Chapter 2.202).

5.11 Gratuities

5.11.1 Attempt to Secure Favorable Treatment

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a proposer with the implication, suggestion or statement that the proposer's provision of the consideration may secure more favorable treatment for the proposer in the granting of the Subaward or that the proposer's failure to provide such consideration may negatively affect the County's consideration of the proposer's submission. A proposer shall not offer or give either directly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the granting of the Subaward.

5.11.2 Proposer Notification to County

A proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (800) 544-6861. Failure to report such a solicitation may result in the proposer's submission being eliminated from consideration.

5.11.3 Form of Improper Consideration

Among other items, such improper consideration may take the form of cash, discounts, services, the provision of travel or entertainment, or tangible gifts.

5.12 Notice to Proposers Regarding the County Lobbyist Ordinance

The Board of Supervisors of the County of Los Angeles has 5.12.1 enacted an ordinance regulating the activities of persons who lobby County officials. This ordinance, referred to as the "Lobbyist Ordinance", defines a County Lobbyist and imposes certain registration requirements upon individuals meeting the definition. The complete text of the ordinance can be found in County Code Chapter 2.160. In effect, each person, corporation or other entity that seeks a County permit, license, franchise or Subaward must certify compliance with the ordinance. As part of this solicitation process, it will be the responsibility of each proposer to review the ordinance independently as the text of said ordinance is not contained within this RFP. Thereafter, each person, corporation or other entity submitting a response to this solicitation, must certify that each County Lobbyist, as defined by Los Angeles County Code Section 2.160.010, retained by the proposer is in full compliance with Chapter 2.160 of the Los Angeles County Code and each such County Lobbyist is not on the Executive Office's List of Terminated Registered Lobbyists by completing and submitting Exhibit 6 (Familiarity with the County Lobbyist Ordinance Certification) of Appendix D (Required Forms), as part of their proposal.

5.13 Federal Earned Income Credit

5.13.1 The Subrecipient(s) shall notify its employees, and shall require each Lower Tier Subrecipient(s) to notify its employees, that they may be eligible for the Federal Earned Income Credit under the federal income tax laws. Such notice shall be provided in accordance with the requirements set forth in Appendix I (IRS Notice 1015).

5.14 Consideration of GAIN-GROW Participants for Employment

5.14.1 As a threshold requirement for consideration for the Subaward, proposers shall demonstrate a proven record of hiring participants in the County's Department of Public Social Services Greater Avenues for Independence (GAIN) or General Relief Opportunity for Work (GROW) Programs or shall attest to a willingness to consider GAIN/GROW participants for any future employment openings if they meet the minimum qualifications for that opening. Proposers shall attest to a willingness to provide employed GAIN/GROW participants access to the proposers' employee mentoring program, if available, to assist these individuals in obtaining permanent employment and/or promotional opportunities.

5.14.2 Proposers who are unable to meet this requirement shall not be considered for the Subaward. Proposers shall submit a completed Exhibit 9 (Attestation of Willingness to Consider GAIN-GROW Participants) of Appendix D (Required Forms), along with their proposal.

5.15 Recycled Bond Paper

5.15.1 Proposer shall be required to comply with the County's policy on recycled bond paper as specified in Paragraph 8.39 (Recycled Bond Paper) of Appendix C (Sample Subaward).

5.16 Safely Surrendered Baby Law

5.16.1. The Subrecipient(s) shall notify and provide to its employees, and shall require each Lower Tier Subrecipient(s) to notify and provide to its employees, information regarding the Safely Surrendered Baby Law, its implementation in Los Angeles County, and where and how to safely surrender a baby. The information is set forth in Appendix J (Safely Surrendered Baby Law) of this solicitation document. Additional information is available at www.babysafela.org.

5.17 Jury Service Program

5.17.1 The prospective Subaward (that is, Contract) is subject to the requirements of the County's Subrecipient(s) Employee Jury Service Ordinance ("Jury Service Program") (Los Angeles County Code, Chapter 2.203). Prospective Subrecipients should carefully read Appendix G (Jury Service Ordinance) and Paragraph 8.8 (Compliance with the County's Jury Service Program) of Appendix C (Sample Subaward), both of which are incorporated by reference into and made a part of this RFP. The Jury Service Program applies to both Subrecipient(s) (that is, Contactor) and their Lower Tier Subrecipient(s)(s) (that is, Subcontractor(s)).

Proposals that fail to comply with the requirements of the Jury Service Program will be considered non-responsive and excluded from further consideration.

5.17.2 The Jury Service Program requires Subrecipients and their Lower Tier Subrecipient(s)(s) to have and adhere to a written policy that provides that its employees shall receive from the Subrecipient(s), on an annual basis, no less than five (5) days of regular pay for actual jury service. The policy may provide that employees deposit any fees received for such jury service with the Subrecipient(s) or

that the Subrecipient(s) deducts from the employee's regular pay the fees received for jury service. For purposes of the Jury Service Program, "employee" means any California resident who is a full-time employee of a contractor and "full-time" means forty (40) hours or more worked per week, or a lesser number of hours if: 1) the lesser number is a recognized industry standard as determined by the County, or 2) the Subrecipient(s) has a long-standing practice that defines the lesser number of hours as full-time. Therefore, the Jury Service Program applies to all of a Subrecipient(s)'s full-time California employees, even those not working specifically on the County project. Full-time employees providing short-term, temporary services of ninety (90) days or less within a twelve (12) month period are not considered full-time for purposes of the Jury Service Program.

- There are two (2) ways in which a Subrecipient(s) might not be 5.17.3 subject to the Jury Service Program. The first is if the Subrecipient(s) does not fall within the Jury Service Program's definition of "Subrecipient(s)". The Jury Service Program defines "Subrecipient(s)" to mean a person, partnership, corporation of other entity which has a Subaward with the County or a Subcontract with a County Subrecipient(s) and has received or will receive an aggregate sum of fifty thousand dollars (\$50,000) or more in any twelve (12) month period under one or more County Subawards or Lower Tier Subawards. The second is if the Subrecipient(s) meets one of the two exceptions to the Jury Service Program. The first exception concerns small businesses and applies to Subrecipients that have 1) ten (10) or fewer employees; and, 2) annual gross revenues in the preceding twelve (12) months which, if added to the annual amount of this Subaward is less than five hundred thousand dollars (\$500,000), and, 3) is not an "affiliate or subsidiary of a business dominant in its field of operation". The second exception applies to Subrecipients that possess a collective bargaining agreement that expressly supersedes the provisions of the Jury Service Program. The Subrecipient(s) is subject to any provision of the Jury Service Program not expressly superseded by the collective bargaining agreement.
- 5.17.4 If a Proposer does not fall within the Jury Service Program's definition of "Contractor" or if it meets any of the exceptions to the Jury Service Program, then the Subrecipient(s) must so indicate in Exhibit 10 (Contract Employee Jury Service Program Certification Form and Application for Exception) of Appendix D (Required Forms), and include with its submission all necessary documentation to support the claim such as tax returns or a collective bargaining agreement, if applicable. Upon reviewing the

Subrecipient(s)'s application, the County will determine, in its sole discretion, whether the Subrecipient(s) falls within the definition of contractor or meets any of the exceptions to the Jury Service Program. The County's decision will be final.

5.18 Intentionally Omitted

5.19 Notification to County of Pending Acquisitions/Mergers by Proposing Company

5.19.1 The proposer shall notify the County of any pending acquisitions/mergers of its company unless otherwise legally prohibited from doing so. If the proposer is restricted from legally notifying the County of pending acquisitions/mergers, then it should notify the County of the actual acquisitions/mergers as soon as the law allows and provide to the County the legal framework that restricted it from notifying the County prior to the actual acquisitions/mergers. This information shall be provided by the Organization proposer (Proposer's in Exhibit 1. Questionnaire/Affidavit and CBE Information) of Appendix D (Required Forms). Failure of the proposer to provide this information may eliminate its proposal from any further consideration. Proposer shall have a continuing obligation to notify County of changes to the information contained in Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) during the pendency of this RFP by providing a revised Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) to the County upon the occurrence of any event giving rise to a change in its previously-reported information.

5.20 Proposer's Charitable Contributions Compliance

5.20.1 California's "Supervision of Trustees and Fundraisers for Charitable Purposes Act" regulates receiving and raising charitable Among other requirements, those subject to the contributions. Charitable Purposes Act must register. The 2004 Nonprofit Integrity Act (SB 1262, Chapter 919) increased Charitable Purposes Act requirements. Prospective Subrecipients should carefully read Appendix N (Background and Resources: California Charities Regulation). New rules cover California public benefit corporations, unincorporated associations, and trustee entities and may include similar foreign corporations doing business or holding property in California. Key Nonprofit Integrity Act requirements affect executive compensation, fund-raising practices documentation. Charities with over two million dollars (\$2,000,000)

- of revenues (excluding funds that must be accounted for to a governmental entity) have new audit requirements.
- 5.20.2 All prospective Subrecipients must determine if they receive or raise charitable contributions which subject them to the Charitable Purposes Act and complete the certification form attached as Exhibit 19 (Charitable Contributions Certification) in Appendix D (Required Forms). A completed Exhibit 19 (Charitable Contributions Certification) is a required part of any agreement with the County.
- 5.20.3 In Exhibit 19 (Charitable Contributions Certification), prospective Subrecipients certify either that:
 - 5.20.3.1 They have determined that they do not now receive or raise charitable contributions regulated under the California Charitable Purposes Act, (including the Nonprofit Integrity Act) but will comply if they become subject to coverage of those laws during the term of a County agreement,

- OR -

- 5.20.3.2 They are currently complying with their obligations under the Charitable Purposes Act, attaching a copy of their most recent filing with the Registry of Charitable Trusts.
- 5.20.4 Prospective County Subrecipients that do not complete Exhibit 19 (Charitable Contributions Certification) as part of the solicitation process may, in the County's sole discretion, be disqualified from consideration of a Subaward. A County Subrecipient(s) that fails to comply with its obligations under the Charitable Purposes Act is subject to either Subaward termination or debarment proceedings or both. (County Code Chapter 2.202)

5.21 Defaulted Property Tax Reduction Program

5.21.1 The prospective Subaward is subject to the requirements of the County's Defaulted Property Tax Reduction Program ("Defaulted Tax Program"), (Los Angeles County Code, Chapter 2.206). Prospective Subrecipients should carefully read Appendix O (Defaulted Tax Program Ordinance) and the pertinent provisions in Paragraphs 8.51 (Warranty of Compliance with County's Defaulted Property Tax Reduction Program) and 8.52 (Termination for Breach of Warranty to Maintain Compliance with County's Defaulted Tax Program) of Appendix C (Sample Subaward), both of which are incorporated by reference into and made a part of this

- solicitation. The Defaulted Tax Program applies to both Subrecipients and their Lower Tier Subrecipients.
- 5.21.2 Proposers shall be required to certify that they are in full compliance with the provisions of the Defaulted Tax Program and shall maintain compliance during the term of any Subaward that may be awarded pursuant to this solicitation or shall certify that they are exempt from the Defaulted Tax Program by completing Exhibit 20 (Certification of Compliance with the County's Defaulted Property Tax Reduction Program) in Appendix D (Required Forms). Failure to maintain compliance, or to timely cure defects, may be cause for termination of a Subaward or initiation of debarment proceedings against the non-compliant Subrecipient(s) (Los Angeles County Code, Chapter 2.202).
- 5.21.3 Proposals that fail to comply with the certification requirements of the Defaulted Tax Program will be considered non-responsive and excluded from further consideration.

5.22 Time Off for Voting

5.22.1 The Subrecipient(s) shall notify its employees, and shall require each Lower Tier Subrecipient(s) to notify and provide to its employees, information regarding the time off for voting law (Elections Code Section 14000). Not less than ten (10) days before every statewide election, every Subrecipient(s) and Lower Tier Subrecipients shall keep posted conspicuously at the place of work, if practicable, or elsewhere where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 14000.

5.23 Proposer's Acknowledgement of County's Commitment to Zero Tolerance Policy on Human Trafficking

- 5.23.1 On October 4, 2016, the Los Angeles County Board of Supervisors approved a motion taking significant steps to protect victims of human trafficking by establishing a zero tolerance policy on human trafficking. The policy prohibits Proposers engaged in human trafficking from receiving Subawards or performing services under a County Subaward.
- 5.23.2 Subrecipients are required to complete Exhibit 21 (Zero Tolerance Policy on Human Trafficking Certification) in Appendix D (Required Forms), certifying that they are in full compliance with the County's Zero Tolerance Policy on Human Trafficking provision as defined in Paragraph 8.54 (Compliance with County's Zero Tolerance

Human Trafficking Policy) of Appendix C (Sample Subaward). Further, Subrecipients are required to comply with the requirements under said provision for the term of any Subaward granted pursuant to this solicitation.

5.24 Intentionally Omitted

5.25 Default Method of Payment: Direct Deposit or Electronic Funds Transfer (EFT)

- 5.25.1 The County, at its sole discretion, has determined that the most efficient and secure default form of payment for goods and/or services provided under an agreement/Subaward with the County shall be Electronic Funds Transfer (EFT) or direct deposit, unless an alternative method of payment is deemed appropriate by the Auditor-Controller (A-C).
- 5.25.2 Upon Subaward approval or at the request of the A-C and/or the contracting department, the Subrecipient(s) shall submit a direct deposit authorization request with banking and vendor information, and any other information that the A-C determines is reasonably necessary to process the payment and comply with all accounting, record keeping, and tax reporting requirements.
- 5.25.3 Any provision of law, grant, or funding agreement requiring a specific form or method of payment other than EFT or direct deposit shall supersede this requirement with respect to those payments.
- 5.25.4 Upon Subaward approval or at any time during the duration of the agreement/Subaward, a Subrecipient(s) may submit a written request for an exemption to this requirement. The A-C, in consultation with the contracting department(s), shall decide whether to approve exemption requests.

5.26 Proposer's Acknowledgement of County's Commitment to Fair Chance Employment Hiring Practices

5.26.1 On May 29, 2018, the Los Angeles County Board of Supervisors approved a Fair Chance Employment Policy in an effort to remove job barriers for individuals with criminal records. The policy requires businesses that Subaward with the County to comply with fair chance employment hiring practices set forth in California Government Code Section 12952, Employment Discrimination: Conviction History (Section 12952).

5.26.2 Subrecipients are required to complete Exhibit 23 (Compliance with Fair Chance Employment Hiring Practices Certification) in Appendix D (Required Forms), certifying that they are in full compliance with Section 12952, as indicated in the Sample Subaward. Further, Subrecipients are required to comply with the requirements under Section 12952 for the term of any Subaward granted pursuant to this solicitation.

6 COUNTY'S PREFERENCE PROGRAMS

6.1 Overview of County's Preference Programs

- 6.1.1 The County of Los Angeles has three (3) preference programs. The Local Small Business Enterprise (LSBE), Disabled Veterans Business Enterprise (DVBE), and Social Enterprise (SE). The Board of Supervisors encourages business participation in the County's Subcontracting process by continually streamlining and simplifying our selection process and expanding opportunities for these businesses to compete for County opportunities.
- 6.1.2 The Preference Programs (LSBE, DVBE, and SE) require that a business must complete certification prior to requesting a preference in a solicitation. This program and how to obtain certification are further explained in Paragraphs 6.2, 6.4, and 6.5 of this solicitation.
- 6.1.3 In no case shall the Preference Programs (LSBE, DVBE, and SE) price or scoring preference be combined with any other county preference program to exceed fifteen percent (15%) in response to any County solicitation.
- 6.1.4 Sanctions and financial penalties may apply to a business that knowingly, and with intent to defraud, seeks to obtain or maintain certification as a certified LSBE, DVBE, or SE when not qualified.
- 6.1.5 The County also has a Policy on Doing Business with Small Business that is stated in Appendix F.

6.2 Local Small Business Enterprise (LSBE) Preference Program

6.2.1 The County will give LSBE preference during the solicitation process to businesses that meet the definition of a LSBE, consistent with Chapter 2.204.030C.1 of the Los Angeles County Code. An LSBE is defined as a business: 1) certified by the State of California as a small business and has had its principal place of business located in Los Angeles County for at least one year; or 2)

certified as a small business enterprise with other certifying agencies pursuant to the Department of Consumer and Business Affair's (DCBA) inclusion policy that: a) has its principal place of business located in Los Angeles County, and b) has revenues and employee sizes that meet the State's Department of General Services requirements. The business must be certified by the Department of Consumer and Business Affairs as meeting the requirements set forth above prior to requesting the LSBE Preference in a solicitation.

- 6.2.2 To apply for certification as an LSBE, businesses should contact the Department of Consumer and Business Affairs at http://dcba.lacounty.gov
- 6.2.3 Certified LSBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) in Appendix D Required Forms and submit a letter of certification from the DCBA with their proposal.
- 6.2.4 Information about the State's small business enterprise certification regulations is in the California Code of Regulations, Title 2, Subchapter 8, Section 1896 et seq., and is also available on the California Department of General Services Office of Small Business Certification and Resources Web site at http://www.pd.dgs.ca.gov/smbus/default.

6.3 Local Small Business Enterprise (LSBE) Prompt Payment Program

6.3.1 It is the intent of the County that Certified LSBEs receive prompt payment for services they provide to County Departments. Prompt payment is defined as fifteen (15) calendar days after receipt of an undisputed invoice.

6.4 Social Enterprise (SE) Preference Program

- 6.4.1 The County will give preference during the solicitation process to businesses that meet the definition of a SE, consistent with Chapter 2.205 of the Los Angeles County Code. A SE is defined as:
 - A business that qualifies as a SE and has been in operation for at least one year (1) providing transitional or permanent employment to a Transitional Workforce or providing social, environmental and/or human justice services; and

- 2) A business certified by the DCBA as a SE.
- 6.4.2 The DCBA shall certify that a SE meets the criteria set forth in Subparagraph 6.4.1.
- 6.4.3 Certified SEs may only request the preference if the certification has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) in Appendix D Required Forms and submit a letter of certification from the DCBA with their proposal.
- 6.4.4 Further information on SEs also available on the DCBA's website at: http://dcba.lacounty.gov

6.5 Disabled Veteran Business Enterprise (DVBE) Preference Program

- 6.5.1 The County will give preference during the solicitation process to businesses that meet the definition of a DVBE, consistent with Chapter 2.211 of the Los Angeles County Code. A DVBE vendor is defined as:
 - A business which is certified by the State of California as a DVBE; or
 - A business which is verified as a service-disabled veteranowned small business (SDVOSB) by the Veterans Administration.
 - 3) A business certified as DVBE with other certifying agencies pursuant to the DCBA inclusion policy that meets the criteria set forth by the agencies in 1 and 2 above.
- 6.5.2 The DCBA shall certify that a DVBE is currently certified by the State of California, by the U.S. Department of Veteran Affairs, or is determined by the DCBA's inclusion policy that meets the criteria set forth by the agencies in Subparagraphs 6.5.1 (1) or (2) above.
- 6.5.3 Certified DVBEs may only request the preference if the certification process has been completed and certification is affirmed. Businesses must complete and submit Exhibit 7 (Request for Preference Program Consideration) in Appendix D Required Forms and submit a letter of certification from the DCBA with their proposal.
- 6.5.4 Information about the State's DVBE certification regulations is found in the California Code of Regulations, Title 2, Subchapter 8,

Section 1896 et seq., and is also available on the California Department of General Services Office of Disabled Veteran Business Certification and Resources Website at http://www.dgs.ca.gov/pd/Home.aspx

6.5.5 Information on the Department of Veteran Affairs SDVOSB certification regulations is found in the Code of Federal Regulations, 38CFR 74 and is also available on the Department of Veterans Affairs Website at: https://www.va.gov/osdbu/.

7 PROPOSAL SUBMISSION REQUIREMENTS

7.1 Key Solicitation Information

- 7.1.1 Paragraph 7 (Proposal Submission Requirements) contains key project dates and activities as well as instructions to Proposers in how to prepare and submit their proposal.
- 7.1.2 The RFP will only be available online and may be accessed on County's websites as follows: https://wdacs.lacounty.gov/ (please select the option for Business Opportunities with WDACS/Doing Business with WDACS) and http://camisvr.co.la.ca.us/lacobids (please select "View Open Bids" and then "List by Department."
- 7.1.3 Proposer shall submit a separate LACDRP Proposal for each LACDRP Program Service Category Proposer plans to provide. For example, a Proposer proposing to provide both Community and Day of Hearing Civil Court Services must submit two (2) separate LACDRP Proposals one (1) LACDRP Proposal for Community Services and one (1) LACDRP Proposal for Day of Hearing Services. If Proposer is only providing one (1) LACDRP Service Category, Proposer only needs to submit one (1) LACDRP Proposal.
- 7.1.4 Proposers are responsible for reviewing the legal and regulatory authority, and policy guidance that is applicable to this RFP. Proposer may access regulations and policy guidance applicable to this RFP as follows:
 - 7.1.4.1 Authorizing federal statutes and regulations (may also be found through the California Department of Consumer Affair's website https://www.dca.ca.gov)
 - 7.1.4.2 Policy Manuals and Memoranda: Business Opportunities with WDACS/Doing Business with WDACS

- 7.1.4.3 Reporting requirements and procedures: Appendix C (Sample Subaward).
- 7.1.4.4 Assessment/evaluation criteria: Paragraph 8.0 (Selection Process and Evaluation Criteria)
- 7.1.4.5 Appeal procedures: Paragraph 7.4 (Solicitation Selection Review Process) and Paragraph 8.7 (Department's Proposed Subrecipient(s) Selection Review).

7.2 Truth and Accuracy of Representations

7.2.1 False, misleading, incomplete, or deceptively unresponsive statements in connection with a proposal shall be sufficient cause for rejection of the proposal. The evaluation and determination in this area shall be at the Director's sole judgment and his/her judgment shall be final. All proposals shall be firm and final offers and may not be withdrawn for a period of one hundred eighty (180) days following the final proposal submission date.

7.3 RFP Timetable

7.3.1 The timetable for this RFP is as follows:

•	Release of RFP	02/05/19
•	Request for a Solicitation Requirements Review Due	02/19/19
•	Written Questions Due by 5:00 P.M. (PST)	02/13/19
•	Proposers' Conference at 1:00 P.M. (PST)	02/11/19
•	Notice of Intent to Submit Proposal by 5:00 P.M. (PST)	02/19/19
•	Questions and Answers Released On or Around	02/15/19
•	Proposals due by 12:00 P.M. (PST)	03/05/19
•	Subaward and Services Begin	07/01/19

7.4. Solicitation Requirements Review

7.4.1 Any person or entity may seek a Solicitation Requirements Review by submitting Appendix E (Transmittal Form to Request a Solicitation

Requirements Review) to the Department conducting the solicitation as described in Paragraph 7.4 (Solicitation Requirements Review). A request for a Solicitation Requirements Review may be denied, in the Department's sole discretion, if the request does not satisfy all of the following criteria:

- 1. The request for a Solicitation Requirements Review is made within ten (10) business days of the issuance of the solicitation document:
- 2. The request for a Solicitation Requirements Review includes documentation, which demonstrates the underlying ability of the person or entity to submit a proposal;
- The request for a Solicitation Requirements Review itemizes in appropriate detail, each matter contested and factual reasons for the requested review; and
- 4. The request for a Solicitation Requirements Review asserts either that:
 - a. application of the minimum requirements, evaluation criteria and/or business requirements unfairly disadvantages the person or entity; or,
 - b. due to unclear instructions, the process may result in the County not receiving the best possible responses from prospective proposers.
- 7.4.2 The Solicitation Requirements Review shall be completed and the Department's determination shall be provided to the requesting person or entity, in writing, within a reasonable time prior to the proposal due date.

7.5 Proposers' Questions

- 7.5.1 Proposers may submit written questions regarding this RFP by mail fax or e-mail to the individual identified below. All questions must be received by 5:00 PM Pacific Standard Time (PST), Wednesday, February 13, 2019. All questions, without identifying the submitting company, will be compiled with the appropriate answers and issued as an addendum to the RFP.
- 7.5.2 When submitting questions, please specify the RFP Paragraph number, Subparagraph number, and page number and quote the language that prompted the question. This will ensure that the

- question can be quickly found in the RFP. County reserves the right to group similar questions when providing answers.
- 7.5.3 Questions may address concerns that the application of minimum requirements, evaluation criteria and/or business requirements would unfairly disadvantage proposers or, due to unclear instructions, may result in the County not receiving the best possible responses from proposer.
- 7.5.4 All questions should be submitted to County by either e-mail or mail as follows (please use only (1) of these methods to send questions):

E-mail:

DRPRFP@wdacs.lacounty.gov

Postal and Delivery Address:

County of Los Angeles Workforce Development, Aging and Community Services Contracts Management Division 3175 West 6th Street, Room 403 Los Angeles, CA 90020-1708

Attn: RFP No.: DRP-1924

Carol Domingo, Contract Manager

7.6 Notice of Intent to Submit Proposal

7.6.1 In an effort for the County to plan the evaluation component of this solicitation, County requests any Proposer that intends to submit a proposal shall complete Appendix P (Notice of Intent to Submit Proposal) and submit it to County by e-mail, mail or in-person no later than Tuesday, February 19, 2019 by 5:00 p.m. PST using one (1) of the following addresses:

E-mail:

DRPRFP@wdacs.lacounty.gov

Postal and Delivery Address:

County of Los Angeles Workforce Development, Aging and Community Services Contracts Management Division 3175 West 6th Street, Room 403 Los Angeles, CA 90020-1708 Attn: RFP No.: DRP-1924

Carol Domingo, Contract Manager

7.7 Proposers' Conference

7.7.1 A Proposers' Conference will be held to discuss the RFP. It is optional to attend. County staff will respond to questions from potential proposers. The conference is scheduled as follows:

Monday, February 11, 2019 1:00 PM (PST) 3175 West 6th Street, Room 105 Los Angeles, CA 90020-1708

7.7.2 Parking: For your convenience, parking in County's parking structure located at 523 Shatto Place will be made available by reservation. Please send an email to WDACS at DRPRFP@wdacs.lacounty.gov by Thursday, February 7, 2019. Meter Parking is also available on Shatto Place, Vermont Avenue, and 6th Street (Southwest Corner of 6th and Vermont).

7.8 Preparation of the Proposal

- 7.8.1 A complete LACDRP Proposal shall include a Business Proposal and Cost Proposal for <u>each LACDRP Program Service Category Proposer plans to provide.</u> A Business Proposal includes both required forms and narrative detailing Proposer's qualifications and program proposal. A Cost Proposal includes a detailed budget, budget narrative, and the unit rate. The Business and Cost Proposals shall be bound together in one (1) three (3)-ring binder and submitted in the prescribed format. An original Business and Cost Proposal and four (4) copies, for a total of five (5) binders, shall be submitted as specified. All proposals must be bound and submitted in the prescribed format.
- 7.8.2 In addition to submitting the hardcopy proposals, Proposer shall also submit one (1) electronic version of the proposal. The one (1) electronic version of the proposal shall be a clearly legible and exact copy of the proposal that shall be saved on either thumb drive or flash drive. The electronic version of the proposal shall be in the form of PDF/Scanned documents; Word or Excel versions of these documents are not acceptable. It is imperative that Proposer ensures that the electronic version of the proposal is an exact replica of the original hardcopy proposal (i.e., no pages shall be missing or misplaced, etc.). Proposer shall also ensure that its storage medium (i.e., thumb drive, flash drive, etc.) is fully operational and is not

corrupted. Proposer shall bear all responsibility when County uses/relies on the electronic version of the proposal to complete the evaluation process. When County determines that information or documentation is missing from the electronic version of the proposal which County uses in the evaluation and that information is subsequently discovered in the hardcopy proposal, County may at its sole discretion deem the proposal as non-responsive and reject it.

- 7.8.3 Any proposal that deviates from this format may be rejected as non-responsive without review at the County's sole discretion.
- 7.8.4 Proposals must be typed (on 8 ½" by 11" paper), single spaced between each line, with margins set at 1.0 inch or greater, and a standard twelve (12) point Arial font.
- 7.8.5 For every response provided by Proposer in both the Business and Cost Proposal, Proposer shall clearly indicate the RFP Section Heading, Section Letter, and/or Number (if applicable). Proposer shall use double spacing in between Proposal response sections.
- 7.8.6 Each section of the Business and Cost Proposals shall be tabbed and clearly identified in the Table of Contents and shall follow the order specified in Paragraphs 7.9 (Business Proposal Format) and 7.10 (Cost Proposal Format) of this RFP. All attachments must be attached immediately after the section to which Proposer is responding.
- 7.8.7 For the Business Proposal, the limit for all responses combined is a total of twenty (20) single-sided pages. The page limitation does not include exhibits or attachments.
- 7.8.8 For the Cost Proposal, the limit for all responses combined is a total of ten (10) single-sided pages. The page limitation does not include exhibits or attachments.

7.9 Business Proposal Format

7.9.1 The content and sequence of the proposal must be as follows:

- 7.9.1.1 Proposer's Organization Questionnaire/Affidavit and Required Support Documents for Corporations and Limited Liability Companies (Appendix D-Exhibit 1)
- 7.9.1.2 Table of Contents
- 7.9.1.3 Proposer's Qualifications (Section A)

- 7.9.1.4 Proposer's Approach to Provide Required Services (Section B)
- 7.9.1.5 Proposer's Quality Control Plan (Section C)
- 7.9.1.6 Proposer's Green Initiatives (Section D)
- 7.9.1.7 Terms and Conditions in the Sample Subaward, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to (Section E)
- 7.9.1.8 Business Proposal Required Forms (Section F)

7.9.2 Proposer's Organization Questionnaire/Affidavit and Required Support Documentation

- 7.9.2.1 The Proposer shall complete, sign and date Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) in Appendix D (Required Forms). The person signing the form must be authorized to sign on behalf of the Proposer and to bind the applicant in a Subaward.
- 7.9.2.2 Taking into account the structure of the Proposer's organization, Proposer shall determine which of the below referenced supporting documents the County requires. If the Proposer's organization does not fit into one of these categories, upon receipt of the proposal or at some later time, the County may, in its discretion, request additional documentation regarding the Proposer's business organization and authority of individuals to sign Subawards.
- 7.9.2.3 If the below referenced documents are not available at the time of proposal submission, Proposer must request the appropriate documents from the California Secretary of State and provide a statement on the status of the request.

7.9.3 Required Support Documents:

Corporations or Limited Liability Company (LLC)

The Proposer must submit the following documentation with the proposal:

- 1) A copy of a "Certificate of Good Standing" with the state of incorporation/organization.
- 2) A conformed copy of the most recent "Statement of Information" as filed with the California Secretary of State listing corporate officers or members and managers.

7.9.4 Limited Partnership

The Proposer must submit a conformed copy of the Certificate of Limited Partnership or Application for Registration of Foreign Limited Partnership as filed with the California Secretary of State, and any amendments.

7.9.5 Table of Contents

List all material included in the proposal. Include a clear definition of the material, identified by sequential page numbers and by section and paragraph reference numbers.

7.9.6 Intentionally Omitted

- **7.9.7 Proposer's Qualifications (Section A)**: Demonstrate that the Proposer's organization has the experience and financial capability to perform the required Services. The following sections must be included:
 - 7.9.7.1 Proposer's Background and Experience (Section A.1):
 Provide a summary of relevant background information to demonstrate that the Proposer meets the minimum requirement(s) stated in Paragraph 3 (Proposer's Minimum Qualifications) of this RFP and has the capability to perform the required services as a corporation or other entity.
 - 7.9.7.2 Proposer's References (Section A.2): It is the Proposer's sole responsibility to ensure that the firm's name, and point of contact's name, title, and phone number for each reference is accurate. The same references may be listed on both Exhibit 2 (Prospective Contractor References) and Exhibit 3 (Prospective Contractor List of Contracts) in Appendix D (Required Forms).
 - County may disqualify Proposer as non-responsive and/or non-responsible if:

- a) references fail to substantiate proposer's description of the services provided;
- b) references fail to support that proposer has a continuing pattern of providing capable, productive and skilled personnel; or
- c) the Department is unable to reach the point of contact with reasonable effort. It is the Proposer's responsibility to inform the point of contact of normal working hours.
- 2. The Proposer must complete and include the following Required Forms:
 - a) Exhibit 2 (Prospective Contractor References) in Appendix D (Required Forms). Proposer must provide three (3) references where the same or similar scope of services was provided within the last four (4) years.
 - b) Exhibit 3 (Prospective Contractor List of Contracts) in Appendix D (Required Forms). The listing must include all Public Entities contracts for the last five (5) years. Use additional sheets if necessary.
 - c) Exhibit 4 (Prospective Contractor List of Terminated Contracts) in Appendix D (Required Forms). Listing must include Subawards terminated within the past five (5) years with a reason for termination, which includes, but not limited to: expiration, non-compliance, loss of funding, and failure to complete a Contract. If the Proposer had no terminated Contracts in the past (5) years, the Proposer must provide a statement to attest to this fact.
- 7.9.7.3 Proposer's Financial Capability (Section A.3): Provide copies of the Proposer's company's most current and prior two (2) fiscal years (for example, 2017 and 2016) financial statements. Statements should include the company's assets, liabilities and net worth and at a minimum should include the Balance Sheet, Statement of Income, and the Statement of Cash Flows. It should be noted that depending on the nature of the entity (i.e.,

for-profit, non-profit, governmental), the title of these statements may differ. For example, for a non-profit entity the Balance Sheet is referred to as the Statement of Financial Position. If audited statements are available, these should be submitted to meet this requirement. Do not submit Income Tax Returns to meet this requirement. Financial statements will be kept confidential if so stamped on each page.

- 7.9.7.4 Proposer's Pending Litigation and Judgments (Section A.4): Identify by name, case number and court jurisdiction any pending litigation in which Proposer is involved, or judgments against Proposer in the past five (5) years. Provide a statement describing the size and scope of any pending or threatening litigation against the Proposer or principals of the Proposer. If the Proposer has/had no pending litigation in the past five (5) years, the Proposer must provide a statement to attest to this fact.
- 7.9.8 Proposer's Approach to Provide Required Services (Section B): Describe in detail how the Services will be performed to meet the intent of the SOW.
 - 7.9.8.1 Qualifications of Proposer's Mandatory Personnel (Section B.1): Proposer shall have, or by Subaward approval shall meet, the mandatory staffing requirements listed in Appendix A (Statement of Work), Section 6.5, Personnel. Proposer shall describe the experience, training, and education of Proposer's mandatory staff based on the requirements stated in the SOW. Copies of all required certifications/licenses, resume and job specifications are to be identified by staff member and included in the Proposal. Proposer shall clearly identify any mandatory staff position(s) necessary to provide services identified in this RFP that are currently unfilled in the proposal, and the date all staffing positions will be secured in place to fulfill the Services of the Program.
 - 7.9.8.2 Proposer's Objectives (Section B.2): Proposer shall state the Service Planning Area(s) and city(ies), Hub(s), or Supervisorial District(s) Proposer plans to serve during the term of the Subaward. Proposer shall describe the goals of the program and specify the activities to be conducted to accomplish those goals.

- 7.9.8.3 Proposer's Target Population (Section B.3): Describe the demographics of Proposer's target population who will benefit from receiving Program Services. This description shall include narrative information and statistical data on the population's income level, ethnic composition, age and persons with disabilities. Describe how Proposer's implementation of Program Services will address the needs of special populations for low-income, minority, older individuals, and individuals with disabilities.
- 7.9.8.4 Proposer's Multilingual Capability (Section B.4):
 Describe the linguistic composition in proposed service areas (i.e., SPA, HUB, or SD). This description shall include the method to deliver services that are linguistically appropriate to each limited to no English—speaking proficient Disputant as specified in Appendix A (Statement of Work), Section 6.9 (Multilingual Capabilities of Subrecipient's Staff).
- 7.9.8.5 Proposed Dispute Resolution Services (Section B.5):
 Proposer must specifically identify the Dispute Resolution Service Category(ies) that the organization proposes to provide services under. Proposer may opt to select one (1), two (2), or all three (3) Dispute Resolution Service Categories through separate proposals.
 - 7.9.8.5.1 Community Dispute Resolution Services:
 Provide a detailed description of the organization's operations, including, outreach, intake, referrals, staff training, volunteer training, and the means to ensure confidentiality.
 - 7.9.8.5.2 <u>Day of Hearing Civil Court Dispute</u>
 Resolution Services: Provide a detailed description of the organization's operations, including, outreach, intake, referrals, staff training, volunteer training, and the means to ensure confidentiality.
 - 7.9.8.5.3 Restorative Justice Dispute Resolution
 Services: Provide a detailed description
 of the organization's operations,
 including, outreach, intake, referrals,

staff training, volunteer training, and the means to ensure confidentiality.

- 7.9.8.6 Collaboration (Section B.6): Proposer shall describe its plan to form collaborations with other Subrecipients providing Services funded through DRP, as well as other community organizations to ensure comprehensive and coordinated Service delivery and to prevent unnecessary duplication of Services, as noted in Appendix A (Statement of Work), Subsection 10.16.1.3 (Collaborations).
- 7.9.9 Proposer's Quality Control Plan (Section C): Present a comprehensive Quality Control Plan to be utilized as a self-monitoring tool to ensure the required Services are provided as specified in Section 3.0 (Quality Control) of Appendix A (Statement of Work) and in Exhibit 2 (Performance Requirements Summary Chart) of Appendix B (Statement of Work Exhibits). At a minimum, the following factors must be included in the plan:
 - 7.9.9.1 Activities to be monitored to ensure compliance with all Subaward requirements;
 - 7.9.9.2 Monitoring methods to be used;
 - 7.9.9.3 Frequency of monitoring;
 - 7.9.9.4 Samples of forms to be used in monitoring;
 - 7.9.9.5 Title/level and qualifications of personnel performing monitoring functions; and
 - 7.9.9.6 Documentation methods of all monitoring results, including any corrective action taken.
- **7.9.10 Proposer's Green Initiatives (Section D):** Present a description of proposed plan for complying with the green requirements as described in Section 11.0 (Green Initiatives) of the SOW. Describe your company's current environmental policies and practices and those proposed to be implemented.

7.9.11 Terms and Conditions in the Sample Subaward, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to (Section E)

- 7.9.11.1 It is the duty of every Proposer to thoroughly review the Sample Subaward and Statement of Work to ensure compliance with all terms, conditions and requirements. It is the County's expectation that in submitting a proposal the Proposer will accept, as stated, the County's terms and conditions in the Sample Subaward and the County's requirements in the Statement of Work. However, the Proposer is provided the opportunity to take exceptions to the County's terms, conditions, and requirements.
- 7.9.11.2 Section E of Proposer's response must include:
 - A statement offering the Proposer's acceptance of or exceptions to all terms and conditions listed in Appendix C (Sample Subaward).
 - A statement offering the proposer's acceptance of or exceptions to all requirements listed in Appendix A (Statement of Work); and

For each exception, the Proposer shall provide:

- 1. An explanation of the reason(s) for the exception:
- 2. The proposed alternative language; and
- 3. A description of the impact, if any, to the Proposer's price.
- 7.9.11.3 Indicate all exceptions to the Sample Subaward and/or the Statement of Work by providing a 'red-lined' version of the language in question. The County relies on this procedure and any proposer who fails to make timely exceptions as required herein, may be barred, at the County's sole discretion, from later making such exceptions. The County reserves the right to determine if proposers' exceptions are material enough to deem the proposal non-responsive and not subject to further evaluation. The County reserves the right to make changes to the Sample Subaward and its appendices and exhibits at its sole discretion.

7.9.12 Business Proposal Required Forms (Section F): Proposal shall include all completed, signed, and dated forms identified in Appendix D (Required Forms):

Exhibit 1	Proposer's Organization Questionnaire/Affidavit and CBE Information
Exhibit 2	Prospective Contractor Reference
Exhibit 3	Prospective Contractor List of Contracts
Exhibit 4	Prospective Contractor List of Terminated Contracts
Exhibit 5	Certification of No Conflict of Interest
Exhibit 6	Familiarity with the County Lobbyist Ordinance Certification
Exhibit 7	Request for Preference Program Consideration
Exhibit 8	Proposer's EEO Certification
Exhibit 9	Attestation of Willingness to Consider GAIN/GROW Participants
Exhibit 10	Contractor Employee Jury Service Program Certification Form and Application for Exception
Exhibit 11	Intentionally Omitted
Exhibit 12	Certification of Independent Price Determination and Acknowledgement of RFP Restrictions (included in the Cost Proposal)
Exhibit 13-18	Intentionally Omitted
Exhibit 19	Charitable Contributions Certification
Exhibit 20	Certification of Compliance with the County's Defaulted Property Tax Reduction Program
Exhibit 21	Zero Tolerance Policy on Human Trafficking
Exhibit 22	Intentionally Omitted
Exhibit 23	Compliance with Fair Chance Employment Hiring Practices Certification
W	roposer shall also include the following documents ithin the Business Proposal (documents shall be urrent as of the date of Proposal submission):

- current as of the date of Proposal submission):
 - Proposer's Organizational Chart including Program staffing plan
 - Proposer's Board of Directors' Roster

- Federal Tax-Exempt Status (if applicable)
- Business License
- By-Laws (provide copy)
- Articles of Incorporation (provide copy)
- Insurance: Proposer shall provide proof of its ability to procure and maintain insurance coverage at levels required in the Appendix C (Sample Subaward), Paragraph 8.25 (Insurance Coverage). If a Proposer does not currently have the required coverage, a letter from a qualified insurance carrier indicating a willingness to provide the required coverage, should the Proposer be awarded a Subaward, may be submitted with the Proposal.

7.10 Cost Proposal Format

7.10.1. The content and sequence of the proposal must be as follows:

- 7.10.1.1 Cover Page
- 7.10.1.2 Table of Contents
- 7.10.1.3 Proposed Budget and Narrative (Section A)
- 7.10.1.4 Unit Rate (Section B)
- 7.10.1.5 Cost Proposal Required Form (Section C)
- 7.10.1.6 Preference Programs (Section D)

7.10.2 Cover Page

7.10.2.1 Identify this part of the proposal as the Cost Proposal and include the RFP title, RFP number, and Proposer's name.

7.10.3 Table of Contents

7.10.3.1 List all material included in the proposal. Include a clear definition of the material, identified by sequential page numbers and by section and paragraph reference numbers.

7.10.4 Proposed Budget and Budget Narrative (Section A)

- 7.10.4.1 Proposed Budget (Section A.1): Proposer shall prepare and submit a budget which outlines Proposer's anticipated costs and funding needed to provide Program Services for the proposed Dispute Resolution Service Category by completing Appendix C (Sample Subaward), Exhibit W (Budget). The Budget document shall represent the budgeted items for Fiscal Year 2019-20.
- 7.10.4.2 <u>Budget Narrative (Section A.2):</u> Proposer shall submit a justification to explain the reasonableness and necessity of each item of cost that is included in Exhibit W (Budget Summary).

7.10.5 Unit Rate (Section B)

7.10.5.1 Proposer shall complete Exhibit X (Mandated Program Services) of Appendix C (Sample Subaward), including the number of monthly cases initiated, monthly cases resolved, minimum mediator and stakeholder group trainings, the unit rate per resolved mediation, and proposed number of cases resolved by Service Planning Area(s), Hub(s), or Supervisorial District(s) for the proposed Dispute Resolution Service. Proposer must utilize Exhibit X (Mandated Program Services) to calculate the proposed unit rate per resolved case for the service category Proposer plans to apply for. The Unit Rate is determined by the total Proposed Budget. or the Program Funding amount, in Appendix C, Exhibit W (Budget), and divided by the proposed number of cases resolved.

7.10.6 Cost Proposal Required Form (Section C)

- 7.10.6.1 Proposal shall include the following completed, signed, and dated form identified in Appendix D (Required Forms):
 - Exhibit 12 (Certification of Independent Price Determination and Acknowledgement of RFP Restrictions)

7.10.7 Preference Programs (Section D)

- 7.10.7.1 To apply for any of the Preference Programs, upon receipt of a letter of certification and affirmation from DCBA substantiating Proposer's status as a LSBE, SE and/or DVBE vendor, Proposer shall complete Appendix D (Required Forms), Exhibit 7 (Request for Preference Consideration). Proposer may request certification for multiple Preference Programs with the DCBA, but only one (1) preference will be applied if Proposer is determined to be eligible for more than one (1) Preference Program.
- 7.10.7.2 If Proposer does not intend to apply for any of the Preference Programs, Proposer shall complete Appendix D (Required Forms), Exhibit 7 (Request for Preference Consideration) by indicating such intent on the form.

7.11 Firm Offer-Withdrawal of Proposal

7.11.1 Until the proposal submission deadline, errors in proposals may be corrected by a request in writing to withdraw the proposal and by submission of another set of proposals with the mistakes corrected. Corrections will not be accepted once the deadline for submission of proposals has passed.

7.12 Proposal Submission

7.12.1 A complete proposal is one that includes the original hardcopy proposal, four (4) duplicate hardcopies of the proposal, and one (1) electronic version of the proposal (stored on thumb drives/flash drives). No facsimile (Fax) or electronic mail (e-mail) copies will be accepted. This proposal shall be enclosed in a sealed envelope or box, plainly marked in the upper left-hand corner with the name and address of Proposer and shall bear the following words:

"PROPOSAL FOR LACDRP-1924"

The Proposal shall be delivered or mailed to:

County of Los Angeles Workforce Development, Aging and Community Services Contracts Management Division 3175 West 6th Street, Room 403 Los Angeles, CA 90020-1708 Attn: RFP No.: DRP-1924

Carol Domingo, Contract Manager

7.12.2 It is the sole responsibility of the submitting Proposer to ensure that its proposal is received before the submission deadline. Submitting proposers shall bear all risks associated with delays in delivery by any person or entity, including the U.S. Mail. Any proposals received after the scheduled closing date and time for receipt of proposals, as listed in Paragraph 7.3 (RFP Timetable), will not be accepted and returned to the sender unopened. Timely hand-delivered proposals are acceptable.

7.12.3 All proposals shall be firm offers and may not be withdrawn for a period of one hundred eighty (180) days following the last day to submit proposals.

8.0 SELECTION PROCESS AND EVALUATION CRITERIA

8.1 Selection Process

- 8.1.1 The County reserves the sole right to judge the contents of the proposals submitted pursuant to this RFP and to review, evaluate and select the successful proposal(s). The selection process will begin with receipt of the proposal on March 5, 2019.
- 8.1.2 Evaluation of the proposals will be made by an Evaluation Committee selected by the Department. The Committee will evaluate the proposals and will use the evaluation approach described herein to select a prospective Subrecipient(s). All proposals will be evaluated based on the criteria listed below. All proposals will be scored and ranked in numerical sequence from high to low. The County may also, at its option, invite proposers being evaluated to make a verbal presentation or conduct site visits, if appropriate. The Evaluation Committee may utilize the services of appropriate experts to assist in this evaluation.
- 8.1.3 Proposers who have previously Subcontracted with County for the provision of any services that have outstanding audit or monitoring findings must resolve those findings to be eligible for a potential Subaward. Resolving findings means County accepted Proposer's corrective action plan and/or Proposer has reimbursed County for questioned costs. Failure to comply with this provision will be grounds for disqualification.
- 8.1.4 County also reserves the right to request additional information/documentation it may deem necessary regarding

Proposer's submitted Business Proposal and/or Cost Proposal. Proposer shall promptly provide such information/documentation. The information/documentation shall be submitted in writing to the contact listed in Paragraph 5.2 (Contact with County Personnel) and/or County may conduct a site visit to verify the information contained in the Proposal or adequacy of Proposer's facility(ies) and equipment.

- 8.1.5 After a prospective Subrecipient(s) has been selected, the County and the prospective Subrecipient(s)(s) will negotiate a Subaward for submission to the Board of Supervisors for its consideration and possible approval. If a satisfactory Subaward cannot be negotiated, the County may, at its sole discretion, begin Subaward negotiations with the next qualified proposer who submitted a proposal, as determined by the County.
- 8.1.6 The recommendation to grant a Subaward will not bind the Board of Supervisors to grant a Subaward to the prospective Subrecipient(s).
- 8.1.7 The County retains the right to select a proposal other than the proposal receiving the highest number of points if County determines, in its sole discretion, another proposal is the most overall qualified, cost-effective, responsive, responsible and in the best interests of the County.
- 8.18 Any reviews conducted during the evaluation of the proposal may result in a reduction in points. The maximum points available for the complete Proposal (consisting of Business and Cost Proposals) submitted is 10,000 points, comprised of 6,500 points possible for the Business Proposal, plus 3,500 points possible for the Cost Proposal. A minimum threshold score of 7,000 combined is required to be eligible for a Subaward; however, scoring even 7,000 points is not a guarantee that a Proposer will be granted a Subaward.

8.2 Adherence to Minimum Requirements (Pass-Fail)

- 8.2.1 County shall review Exhibit 1 (Proposer's Organization Questionnaire/Affidavit and CBE Information) in Appendix D (Required Forms) and determine if the Proposer meets the minimum requirements as outlined in Paragraph 3 (Proposer's Minimum Qualifications) of this RFP.
- 8.2.2 Failure of the proposer to comply with the minimum requirements may eliminate its proposal from any further consideration. The County may elect to waive any informality in a proposal if the sum and substance of the proposal is present.

8.3 Disqualification Review

8.3.1 A proposal may be disqualified from consideration because County determines it was non-responsive at any time during the review/evaluation process. If a Department determines that a proposal is disqualified due to non-responsiveness, the Department shall notify the proposer in writing. Upon receipt of the written determination of non-responsiveness, the Proposer may submit a written request for a Disqualification Review within the timeframe specified in the written determination.

A request for a Disqualification Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

- 1. The person or entity requesting a Disqualification Review is a proposer;
- 2. The request for a Disqualification Review is submitted timely (i.e., by the date and time specified in the written determination); and
- 3. The request for a Disqualification Review asserts that the Department's determination of disqualification due to nonresponsiveness was erroneous (e.g., factual errors, etc.) and provides factual support on each ground asserted as well as copies of all documents and other material that support the assertions.

The Disqualification Review shall be completed and the determination shall be provided to the requesting proposer, in writing, prior to the conclusion of the evaluation process. Proposer can also be disqualified for Paragraph 5.8 (Determination of Proposer Responsibility).

8.4 Business Proposal Evaluation and Criteria: 65% (6,500 points maximum)

- 8.4.1 Any reviews conducted during the evaluation of the proposal may result in a point reduction.
- 8.4.2 Proposer's Qualifications (Section A): 13% (1,300 points maximum)
 - 8.4.2.1 Proposer's Background and Experience (500 points): Proposal will be evaluated on their experience and capacity as a corporation or other entity to perform the required services based on information provided in

- Paragraph 7.9.7.1 (Proposer's Background and Experience (Section A.1)) of the proposal.
- 8.4.2.2 Proposer's References (300 points): Proposal will be evaluated on the verification of references provided in Paragraph 7.9.7.2 (Proposer's References (Section A.2)) of the proposal. In addition to the references provided, a review will include the County's Contract Database and Contractor Alert Reporting Database, if applicable, reflecting past performance history on County or other Subawards. This review may result in point deductions up to one hundred percent (100%) of the total points awarded in this evaluation category. Additionally, a review of terminated Subawards will be conducted which may result in point deductions.
- **8.4.2.3** Proposer's Financial Capability (500 points): A review will be conducted to evaluate the proposer's financial capability as provided in Paragraph 7.9.7.3 (Proposer's Financial Capability (Section A.3)) of the proposal.
- **8.4.2.4** Proposer's Pending Litigation and Judgment: A review will be conducted to determine the significance of any litigation or judgments pending against the Proposer as provided in Paragraph 7.9.7.4 (Proposer's Pending Litigation and Judgment (Section A.4)) of the proposal. This review may result in a point deduction up to one hundred points.
- 8.4.3 Proposer's Approach to Providing Required Services (Section B): 45% (4,500 points)
 - 8.4.3.1 The proposal will be evaluated on its description of the methodology to be used to meet the County's requirements based on information provided in Paragraph 7.9.8 (Proposer's Approach to Provide Required Services (Section B)) of the proposal.
 - **8.4.3.2** Qualifications of Proposer's Mandatory Personnel (500 points): Proposal will be evaluated on whether Proposer currently has or will have by Subaward execution, the mandatory staffing required in Appendix A (Statement of Work) Section 6.5 (Personnel). Proposer will also be evaluated on the proposed staff experience, training, and education pursuant to

Paragraph 7.9.8.1 (Qualifications of Proposer's Mandatory Personnel (Section B.1)).

- **8.4.3.3** Proposer's Objectives (500 points): Proposal will be evaluated on Proposer's:
 - 1) description of the proposed area(s) it will serve (e.g. Service Planning Area(s) for Community, Hub(s) for Day of Hearing Civil Court and Supervisorial District(s) for Restorative Justice) (250 points); and
 - 2) how the Proposer describes the goals of the program and specifies the activities to be conducted to accomplish those goals pursuant to Paragraph 7.9.8.2 (Proposer's Objectives (Section B.2)) (250 points).
- 8.4.3.4 Proposer's Target Population (500 points):
 Proposal will be evaluated on its description of its target population pursuant to Paragraph 7.9.8.3 (Section B.3) and how Services will address the needs of low income, ethnic minorities, older individuals, and individuals with disabilities.
- 8.4.3.5 Proposer's Multilingual Capability (500 points):
 Proposal will be evaluated on its description of the linguistic composition in the proposed service area and how Services will be provided to those with limited to no English proficiency pursuant to Paragraph 7.9.8.4 (Section B.4).
- 8.4.3.6 Proposed Dispute Resolution Services (2000 points): Proposal will be evaluated on its thoroughness in describing its proposed Dispute Resolution Service Category(ies) that the organization proposes to provide services under pursuant to Paragraph 7.9.8.5 (Proposed Dispute Resolution Services (Section B.5)), pursuant to one of the three subsections below:
 - **8.4.3.6.1** Community Dispute Resolution Services: Proposal will be evaluated on its thoroughness in describing the organization's operations, including:
 - a) outreach (300 points);
 - b) intake (300 points);

- c) referrals (300 points);
- d) staff training (400 points);
- e) volunteer training (400 points); and
- f) means to ensure confidentiality (300 points).
- 8.4.3.6.2 Day of Hearing Civil Court Dispute Resolution Services: Proposal will be evaluated on its thoroughness in describing the organization's operations, including:
 - a) outreach (300 points);
 - b) intake (300 points);
 - c) referrals (300 points);
 - d) staff training (400 points);
 - e) volunteer training (400 points); and
 - f) means to ensure confidentiality (300 points).
- **8.4.3.6.3** Restorative Justice Dispute Resolution Services: Proposal will be evaluated on its thoroughness in describing the organization's operations, including:
 - a) outreach (300 points);
 - b) intake (300 points);
 - c) referrals (300 points);
 - d) staff training (400 points);
 - e) volunteer training (400 points); and
 - f) means to ensure confidentiality (300 points).
- **8.4.3.7 Collaboration (500 points):** Proposer will be evaluated based on Proposer's ability to meet and adhere to the requirements outlined in Subparagraph 7.9.8.6 (Collaboration (Section B.6)).
- 8.4.4 Proposer's Quality Control Plan (Section C): 5% (500 points maximum)
 - 8.4.4.1 The proposer will be evaluated on its ability to establish and maintain a complete Quality Control Plan to ensure the requirements of this Subaward are provided as specified. Evaluation of the Quality Control Plan shall cover the proposed monitoring system of all services listed on the Performance Requirements Summary (PRS) based on the information provided in Paragraph 7.9.9 (Proposer's Quality Control Plan (Section C)) of the proposal.

8.4.5 Proposer's Green Initiatives (Section D): 2% (200 points maximum)

8.4.5.1 Proposal will be evaluated on Proposer's ability to meet and adhere to the requirements outlined in Subparagraph 7.9.10 (Proposer's Green Initiatives (Section D)).

8.4.6 Exceptions to Terms and Conditions of Sample Subaward and/or Requirements of the Statement of Work (Section E)

- 8.4.6.1 Proposer will be evaluated on their willingness to accept the Terms and Conditions outlined in Appendix C (Sample Subaward) and the Requirements of the Statement of Work outlined in Exhibit A (Statement of Work), as stated in Paragraph 7.9.11 (Terms and Conditions in the Sample Subaward, and Requirements of the Statement of Work (SOW): Acceptance of/or Exceptions to (Section E)) of the proposal.
- 8.4.6.2 In the event that the Proposer provides exceptions, 100 points shall be deducted per exception. The County may deduct rating points or disqualify the proposal in its entirety if the exceptions are material enough to deem the proposal non-responsive. The County may in its sole determination, disqualify any proposer with whom the County cannot satisfactorily negotiate a Subaward.

8.4.7 Business Proposal Required Forms (Section F)

- 8.4.7.1 Proposal will be evaluated based on Proposer's ability to meet and adhere to the requirements outlined in Subparagraph 7.9.12 (Business Proposal Required Forms (Section F)) of the proposal.
- 8.4.7.2 In the event that Proposer does not submit a form and/or document as indicated in Subparagraph 7.9.12 (Business Proposal Required Forms (Section F)), County shall deduct 10 points for each missing form or document, or a missing signature on the form or document. The total points will be deducted from the Business Proposal score.

8.5 Cost Proposal Evaluation Criteria: 35% (3,500 points maximum)

- 8.5.1 The maximum number of possible points will be awarded to the most responsive and lowest cost proposal(s). All other proposals will be compared to the lowest cost and points awarded accordingly. However, should one or more of the proposers request and be granted the preference, the cost component points will be determined as follows:
 - 8.5.1.1 Fifteen percent (15%) of the lowest cost proposed will be calculated, not to exceed \$150,000, and that amount will be deducted from the cost submitted by all proposers who requested and were granted the preference.
 - 8.5.1.2 In no case shall any preference be combined to exceed fifteen percent (15%) of the lowest responsible bid meeting specifications.
- 8.5.2 The Cost Proposal shall be rated based on the following:

8.5.2.1 Proposed Budget and Budget Narrative (Section A): 5% (500 points maximum)

- 8.5.2.1.1 **Proposed Budget:** Proposer shall submit the completed Appendix C, Exhibit W (Budget) pursuant to Paragraph 7.10.4.1 (Proposed Budget (Section A.1)). In the event that Proposer does not submit the completed Budget Exhibit, County shall deduct 100 points for this section of the Cost Proposal.
- 8.5.2.1.2 **Budget Narrative (500 points):**Proposer's Costs will be evaluated on its justification for the reasonableness and necessity of budgeted costs and how budgeted costs will contribute to the overall Service plan of Proposer pursuant to Paragraph 7.10.4.2 (Budget Narrative (Section A.2)).

8.5.2.2 Unit Rate (Section B): 30% (3,000 points maximum)

8.5.2.2.1 Proposal shall submit the completed Appendix C, Exhibit X (Mandated

Program Services). In the event that Proposer does not submit the completed Budget Summary Exhibit, County shall deduct 100 points for this Section B of the Cost Proposal.

8.5.2.2.2 Unit Rate: Proposer will be evaluated on the proposed Unit Rate (as specified in Appendix C – Exhibit X).

8.6 Intentionally Omitted

8.7 Department's Proposed Subrecipient(s) Selection Review

8.7.1 Departmental Debriefing Process

Upon completion of the evaluation, the Department shall notify the remaining proposers in writing that the Department is entering negotiations with another proposer. Upon receipt of the letter, any non-selected proposer may submit a written request for a Debriefing within the timeframe specified in the letter. A request for a Debriefing may, in the Department's sole discretion, be denied if the request is not received within the specified timeframe.

The purpose of the Debriefing is to compare the requesting proposer's response to the solicitation document with the evaluation document. The requesting proposer shall be debriefed only on its response. Because Subaward negotiations are not yet complete, responses from other proposers shall not be discussed, although the Department may inform the requesting proposer of its relative ranking.

During or following the Debriefing, the Department will instruct the requesting proposer of the manner and timeframe in which the requesting proposer must notify the Department of its intent to request a Proposed Subrecipient(s) Selection Review (see Paragraph 8.7.2 (Proposed Subrecipient(s) Selection Review)), if the requesting proposer is not satisfied with the results of the Debriefing.

8.7.2 Proposed Subrecipient(s) Selection Review

Any proposer that has timely submitted a notice of its intent to request a Proposed Subrecipient(s) Selection Review as described in Paragraph 8.7.2 (Proposed Subrecipient(s) Selection Review) may submit a written request for a Proposed Subrecipient(s)

Selection Review, in the manner and timeframe as shall be specified by the Department.

A request for a Proposed Subrecipient(s) Selection Review may, in the Department's sole discretion, be denied if the request does not satisfy all of the following criteria:

- 1. The person or entity requesting a Proposed Subrecipient(s) Selection Review is a proposer;
- The request for a Proposed Subrecipient(s) Selection Review is submitted timely (i.e., by the date and time specified by the Department);
- 3. The person or entity requesting a Proposed Subrecipient(s) Selection Review asserts in appropriate detail with factual reasons one or more of the following grounds for review:
 - a. The Department materially failed to follow procedures specified in its solicitation document. This includes:
 - i. Failure to correctly apply the standards for reviewing the proposal format requirements.
 - Failure to correctly apply the standards, and/or follow the prescribed methods, for evaluating the proposals as specified in the solicitation document.
 - iii. Use of evaluation criteria that were different from the evaluation criteria disclosed in the solicitation document.
 - b. The Department made identifiable mathematical or other errors in evaluating proposals, resulting in the proposer receiving an incorrect score and not being selected as the recommended Subrecipient(s).
 - c. A member of the Evaluation Committee demonstrated bias in the conduct of the evaluation.
 - d. Another basis for review as provided by state or federal law; and
- 4. The request for a Proposed Subrecipient(s) Selection Review sets forth sufficient detail to demonstrate that, but for the Department's alleged failure, the proposer would have been the lowest cost, responsive and responsible bid or the highest-scored proposal, as the case may be.

Upon completing the Proposed Subrecipient(s) Selection Review, the Department representative shall issue a written decision to the proposer within a reasonable time following receipt of the request for a Proposed Subrecipient(s) Selection Review, and always before the date the Subaward award recommendation is to be heard by the Board. The written decision shall additionally instruct the proposer of the manner and timeframe for requesting a County Independent Review (see Paragraph 8.8 (County Independent Review Process)) below.

8.8 County Independent Review Process

- 8.8.1 Any proposer that is not satisfied with the results of the Proposed Subrecipient(s) Selection Review may submit a written request for a County Independent Review in the manner and timeframe specified by the Department in the Department's written decision regarding the Proposed Subrecipient(s) Selection Review.
- 8.8.2 A request for County Independent Review may, in the County's sole discretion, be denied if the request does not satisfy all of the following criteria:
 - 1. The person or entity requesting a County Independent Review is a proposer;
 - 2. The request for a County Independent Review is submitted timely (i.e., by the date and time specified by the Department); and
 - 3. The person or entity requesting review by a County Independent Review has limited the request to items raised in the Proposed Subrecipient(s) Selection Review and new items that (a) arise from the Department's written decision and (b) are one of the appropriate grounds for requesting a Proposed Subrecipient(s) Selection Review as listed in Paragraph 8.7.2 (Proposed Subrecipient(s) Selection Review) above.
- 8.8.3 Upon completion of the County Independent Review, Internal Services Department will forward the report to the Department, which will provide a copy to the proposer.